

REMARKS

Reconsideration and allowance are requested.

Applicant appreciates the Interview of July 9, 2009, courteously granted by Examiner Cheryl Juska to Applicant's representative Meera Narasimhan.

Newly added claims 12-35 are similar in scope to canceled claims 1-11 and also address the 35 U.S.C. 112 issues on page 2 of the office action. No new matter has been added by the above amendments or by the present response.

Claims 12-35 are patentable under 35 U.S.C. 102(b) and 103(a) over Higgins (U.S. Patent No. 5,545,276).

Claims 12-35 are not anticipated or rendered obvious by Higgins.

Applicant's invention comprises a carpet square having a felt (non-woven fibre not polymer) coating on a pre-formed carpet pile and a reinforcing outermost coating of cured polymer on the felt coating that makes the carpet web self sustaining before carpet squares are punched therefrom.

Higgins relates to a cushion backed carpet which has the traditional foam backing that is replaced in the present invention by felt. Higgins has a primary carpet with a reinforcement polymer material bonded to the primary carpet and is embedded in a polymer (polyurethane) cushion layer. Higgins teaches that there is no other layer between the cushion layer and the reinforcement layer embedded therein because the primary carpet is mated in-situ to the polyurethane forming composition without preheating the composition. Higgins provides a corresponding apparatus for forming the cushion backed carpet.

Higgins provides a carpet fabric 112 to an accumulator 150 in bonding unit 155.

Simultaneously a reinforcement sheet 158 is provided to the unit 155. Higgins states that 158 is fibreglass nonwoven material with other possible materials being woven glass, woven polyester, nonwoven glass, and nonwoven polyester but no felt material. An adhesive 160 is applied to material 158 and the carpet fabric 112 and material 158 are pressed together over rolls 163, 165, forming a preliminary composite 166.

A backing material 170, which forms the outermost layer of the preliminary composite 166 when backing material 170 passes through spray 172 to a polymer application unit 175 in which polymer is applied and doctored with doctor blade 177 thereby coating an inner surface of the outermost layer 170 with a poly-urethane forming polymer 178 and forming a puddle on which composite 166 is laid. This combination of the composite 166, puddle 178 and outer layer 177 is then passed through a mating roll 180 and heated in a heating unit 182 forming a foam cushion.

Nothing in Higgins describes, teaches, suggests or remotely hints at the claimed felt backed carpet squares with a strengthening outermost layer of cured polymer. A prior art reference anticipates the subject of a claim only when the reference discloses every feature of the claimed invention, either explicitly or inherently (see Hazani v. Int'l Trade Comm'n, 126 F.3d 1473, 1477, 44 USPQ2d 1358, 1361 (Fed. Cir. 1997) and RCA Corp. v. Applied Digital Data Systems, Inc., 730 F.2d 1440, 1444, 221 USPQ 385, 388 (Fed. Cir. 1984)).

Thus, since each and every limitation of Applicant's Claims is not disclosed in the patent, either expressly or through the principles of inherency, Claims 12-35 are patentable under 35 U.S.C. § 102(b). Claims 12-35 are also patentable under 35 U.S.C. 103(a).

JUL 23 09 12:05P

J C WRAY

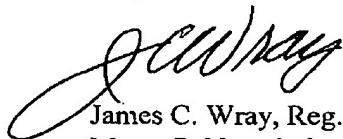
703 448-7397

P. 12

CONCLUSION

Reconsideration and allowance are respectfully requested.

Respectfully,



James C. Wray, Reg. No. 22,693
Meera P. Narasimhan, Reg. No. 40,252
1493 Chain Bridge Road, Suite 300
McLean, Virginia 22101
Tel: (703) 442-4800
Fax: (703) 448-7397

July 23, 2009